

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION

FILED

U.S. DISTRICT COURT  
AUGUSTA DIV.

CARL M. DRURY, JR.

v.

UNITED STATES OF AMERICA

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CV 206-284

2007 APR -9 P 12:55

CLERK

SO. DIST. OF GA.

O R D E R

After a careful de novo review of the record in this case,<sup>1</sup> the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Also, a certificate of appealability may issue only if Movant makes "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c). As demonstrated by the Magistrate Judge's Report and Recommendation, which is now adopted as the opinion of this Court, Movant has not made the requisite showing. Accordingly, Movant's request for a Certificate of Appealability is hereby **DENIED**.

**SO ORDERED** this 9<sup>th</sup> day of April 2007, at Augusta, Georgia.

  
UNITED STATES DISTRICT COURT

<sup>1</sup> This Court's review of the Magistrate Judge's Report and Recommendation on a motion to dismiss a § 2255 petition is always de novo. Fed. R. Civ. P. 72(b). Accordingly, Movant's request for de novo review is **DENIED AS MOOT**.